

of proposed legislation entitled "The Peace Corps Act Amendments of 1997"; to the Committee on Foreign Relations.

EC-1588. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the transmittal of the certification of proposed issuance of an export license; to the Committee on Foreign Relations.

EC-1589. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the transmittal of the certification of proposed issuance of an export license; to the Committee on Foreign Relations.

EC-1590. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the transmittal of the certification of the proposed approval of a manufacturing license agreement; to the Committee on Foreign Relations.

EC-1591. A communication from the Assistant Secretary of State (Legislative Affairs), transmitting, pursuant to law, the transmittal of the certification of the proposed approval of a manufacturing license agreement; to the Committee on Foreign Relations.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-46. A concurrent resolution adopted by the Legislature of the State of Michigan; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION No. 11

Whereas, the United States Environmental Protection Agency (EPA) has a responsibility to review periodically the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter (PM); and

Whereas, the EPA is considering establishing a more stringent ozone standard and a new, more stringent standard for particulate matter at or below 2.5 microns (PM<sub>2.5</sub>); and

Whereas, Michigan, through its local jurisdictions, businesses, and citizens, has supported health-based National Ambient Air Quality Standards (NAAQS) that are premised on sound science; and

Whereas, Michigan has made significant progress in meeting current NAAQS for both ozone and particulate matter (PM) under the Clean Air Act amendments of 1990, although there are some areas that have not yet come into compliance with the current standard(s); and

Whereas, Michigan, through its local jurisdictions, businesses, consumers, and taxpayers, has borne considerable cost to come into compliance with the current NAAQS for ozone and particulate matter; and

Whereas, the proposed new standards will significantly expand the number of non-attainment areas for both ozone and particulate matter. This may result in additional emission controls in all areas, thus imposing significant economic, administrative, and regulatory burdens on Michigan, its citizens, businesses, and local governments; and

Whereas, EPA's own Clean Air Science Advisory Committee (CASAC) was unable to find any "bright line" that would distinguish any public health benefit among any of the proposed new standards for ozone, including the current standard; and

Whereas, there is very little existing PM<sub>2.5</sub> monitoring data; and

Whereas, there are many unanswered questions and scientific uncertainties regarding the health effects of particulate matter, in

particular PM<sub>2.5</sub>, including: Divergent opinions among scientists who have investigated the issue; Exposure misclassification; Measurement errors; Lack of supporting toxicological data; Lack of a plausible toxicological mechanism; Lack of correlation between recorded PM levels and public health effects; Influence of other variables; and The existence of possible alternative explanations; and

Whereas, no scientific proof exists that establishing a more stringent ozone standard or a new, more stringent PM<sub>2.5</sub> standard would avoid alleged adverse health, but it would assuredly impose significantly higher costs; and

Whereas, the issue of transported volatile organic compounds is not adequately addressed; Now therefore, be it

*Resolved by the House of Representatives (the Senate concurring)*, That we advise and strongly urge the EPA to reaffirm the existing NAAQS for ozone; and be it further

*Resolved*, That we advise and strongly urge the EPA to reaffirm the existing NAAQS for PM<sub>10</sub>; and be it further

*Resolved*, That we advise and strongly urge the EPA to refrain from establishing a new NAAQS for PM<sub>2.5</sub> at this time and to gather the necessary PM<sub>2.5</sub> monitoring data and conduct all necessary research needed to address the issue of causality and other critical and important unanswered scientific questions concerning PM<sub>2.5</sub>; and be it further

*Resolved*, That we advise and strongly urge the EPA to identify any unfunded mandates or other administrative and economic burdens for state or local governments or agencies that would result from the proposed changes to the NAAQS for ozone and particulate matter; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the administrator of the United States Environmental Protection Agency, and other appropriate administration officials.

POM-47. A resolution adopted by the Senate of the Legislature of the State of Michigan; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION No. 22

Whereas, the United States Environmental Protection Agency (EPA) has a responsibility to review periodically the National Ambient Air Quality Standards (NAAQS) for ozone and particulate matter (PM); and

Whereas, the EPA is considering establishing a more stringent ozone standard and a new, more stringent standard for particulate matter at or below 2.5 microns (PM<sub>2.5</sub>); and

Whereas, Michigan, through its local jurisdictions, businesses, and citizens, has supported health-based National Ambient Air Quality Standards (NAAQS) that are premised on sound science; and

Whereas, Michigan has made significant progress in meeting current NAAQS for both ozone and particulate matter (PM) under the Clean Air Act amendments of 1990, although there are some areas that have not yet come into compliance with the current standard(s); and

Whereas, Michigan, through its local jurisdictions, businesses, consumers, and taxpayers, has borne considerable cost to come into compliance with the current NAAQS for ozone and particulate matter; and

Whereas, the proposed new standards will significantly expand the number of non-attainment areas for both ozone and particulate matter. This may result in additional emission controls in all areas, thus imposing

significant economic, administrative, and regulatory burdens on Michigan, its citizens, businesses, and local governments; and

Whereas, EPA's own Clean Air Science Advisory Committee (CASAC) was unable to find any "bright line" that would distinguish any public health benefit among any of the proposed new standards for ozone, including the current standard; and

Whereas, there is very little existing PM<sub>2.5</sub> monitoring data; and

Whereas, there are many unanswered questions and scientific uncertainties regarding the health effects of particulate matter, in particular PM<sub>2.5</sub>, including: Divergent opinions among scientists who have investigated the issue; Exposure misclassifications; Measurement errors; Lack of supporting toxicological data; Lack of a plausible toxicological mechanism; Lack of correlation between recorded PM levels and public health effects; Influence of other variables; and The existence of possible alternative explanations; and

Whereas, no scientific proof exists that establishing a more stringent ozone standard or a new, more stringent PM<sub>2.5</sub> standard would avoid alleged adverse health, but it would assuredly impose significantly higher costs; and

Whereas, the issue of transported volatile organic compounds is not adequately addressed; and

Whereas, the EPA and its Clean Air Science Advisory Committee have raised issues relative to serious health concerns that may be addressed with a new PM<sub>2.5</sub> standard; and

Whereas, scientists on the Clean Air Science Advisory Committee (CASAC) panel voted 19-2 that some new standard should be set to regulate PM 2.5; Now, therefore, be it

*Resolved by the Senate*, That we advise and strongly urge the EPA to reaffirm the existing NAAQS for ozone; and be it further

*Resolved*, That we advise and strongly urge the EPA to reaffirm the existing NAAQS for PM<sub>10</sub>; and be it further

*Resolved*, That we advise and strongly urge the EPA to continue to work to establish a clear consensus among its own Science Advisory Committee for the level of a PM 2.5 standard at a level at which the benefits outweigh the costs and to continue; and be it further

*Resolved*, That we advise and strongly urge the EPA to identify any unfunded mandates or other administrative and economic burdens for state or local governments or agencies that would result from the proposed changes to the NAAQS for ozone and particulate matter; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the administrator of the United States Environmental Protection Agency, and other appropriate administration officials.

POM-48. A concurrent resolution adopted by the Legislature of the State of West Virginia; to the Committee on Environment and Public Works.

#### HOUSE CONCURRENT RESOLUTION No. 7

Whereas, ambient air quality, regulated under the Federal Clean Air Act, has improved substantially since 1970 in West Virginia, and will continue to improve as the Clean Air Act amendments of 1990 are implemented to further reduce pollutants; and

Whereas, the U.S. Environmental Protection Agency, which periodically reviews the National Ambient Air Quality Standards, proposes revisions to those standards that

could increase the number of areas in West Virginia considered to be in nonattainment with federal air quality standards; and

Whereas, nonattainment with federal air quality standards could have a serious economic impact in West Virginia and may result in severe restrictions on economic development, loss of jobs and in a potential loss of federal highways funds; and

Whereas, substantial scientific uncertainties surround the determination of causality for potential adverse health effects that may be associated with exposure to fine particulates; and

Whereas, there is little existing data regarding the monitoring of fine particulate matter; and

Whereas, the Environmental Protection Agency's Clean Air Science Advisory Committee has not determined that there are significant public health benefits associated with revising the standards on ozone and fine particulate matter; and

Whereas, West Virginia, through its Legislature, citizens, businesses and regulatory agencies, worked hard to reduce air pollution and to meet clean air requirements, resulting in all counties in the state currently being in compliance with the present standards for ozone and particulate matter; and

Whereas, the coal, chemical, primary metals, electric utility and other West Virginia industries who already have expended considerable resources and suffered negative impacts resulting from programs designed to meet the existing requirements of the Clean Air Act could be subjected to further negative impacts resulting from the proposed standards; and

Whereas, West Virginia is a major source of electric generation and stands to benefit from proposed electric utility deregulation, a benefit that could be significantly lessened by the resulting increase in the cost of electric service to the citizens and businesses of the state due to the proposed standards; and

Whereas, the development of the economy in this state has historically faced significant obstacles, and recent economic development indicators demonstrate that West Virginia is poised for growth while maintaining present air quality standards; therefore, be it

*Resolved by the Legislature of West Virginia:* That the Congress of the United States is requested to enact legislation that requires the Administrator of the United States Environmental Protection Agency to maintain the current National Ambient Air Quality Standards for ozone and fine particulate matter until there is a thorough review by the scientific community, as well as a thorough, scientifically valid and comprehensive cost-benefit analysis, where appropriate, of the impact of the proposed changes to the current standards; and, be it further

*Resolved,* That the Clerk of the House of Delegates shall, immediately upon its adoption, transmit duly authenticated copies of this resolution to the Speaker and the Clerk of the United States House of Representatives, the President Pro Tempore and the Secretary of the United States Senate, the members of the West Virginia congressional delegation and the Administrator of the EPA.

POM-49. A petition from a citizen of the State of California relative to habeas corpus; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary, without amendment:

S. 506. A bill to clarify certain copyright provisions, and for other purposes.

S. 568. A bill to make a technical correction to title 28, United States Code, relating to jurisdiction for lawsuits against terrorist states.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

Donald M. Middlebrooks, of Florida, to be United States District Judge for the Southern District of Florida.

Jeffrey T. Miller, of California, to be United States District Judge for the Southern District of California.

Robert W. Pratt, of Iowa, to be United States District Judge for the Southern District of Iowa.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated on Thursday, April 10, 1997:

By Mr. SHELBY:

S. 561. A bill to require States receiving prison construction grants to implement requirements for inmates to perform work and engage in educational activities, to eliminate certain sentencing inequities for drug offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. D'AMATO (for himself, Mr. FAIRCLOTH, Mr. BENNETT, Mr. SARBANES, Mr. DODD, Mr. KERRY, Mr. BRYAN, Mrs. BOXER, Ms. MOSELEY-BRAUN, Mr. JOHNSON, and Mr. REED):

S. 562. A bill to amend section 255 of the National Housing Act to prevent the funding of unnecessary or excessive costs for obtaining a home equity conversion mortgage; to the Committee on Banking, Housing, and Urban Affairs.

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated on Thursday, April 17, 1997:

By Ms. SNOWE:

S. 601. A bill to amend title 18, United States Code, to prohibit taking a child hostage in order to evade arrest; to the Committee on the Judiciary.

S. 602. A bill to provide a mandatory minimum sentence for State crimes involving the use of a firearm, impose work requirements for prisoners, and prohibit the provision of luxury items to prisoners; to the Committee on the Judiciary.

By Mr. SPECTER (for himself, Mr. FEINGOLD, and Mr. KOHL):

S. 603. A bill to require the Secretary of Agriculture to collect and disseminate statistically reliable information from milk manufacturing plants on prices received for bulk cheese and to provide the Secretary with the authority to require reporting by such manufacturing plants throughout the U.S. on prices received for cheese, butter, and nonfat dry milk; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SPECTER:

S. 604. A bill to amend the Agricultural Market Transition Act to require the Secretary of Agriculture to use the price of feed grains and other cash expenses as factors that are used to determine the basic formula price for milk and any other milk price regu-

lated by the Secretary; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CONRAD (for himself and Mr. DORGAN):

S. 605. A bill to require the Secretary of Agriculture to provide emergency assistance to producers for cattle losses that are due to damaging weather or related condition occurring during the 1996-97 winter season, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HUTCHINSON (for himself, Mr. LOTT, Mr. NICKLES, Mr. MACK, Mr. COVERDELL, Mr. THURMOND, Mr. JEFFORDS, Mr. COATS, Mr. GREGG, Mr. FRIST, Mr. ENZI, Ms. COLLINS, Mr. WARNER, Mr. MCCONNELL, Mr. ALLARD, Mr. BROWNBAC, Mr. SESSIONS, Mr. HAGEL, Mr. KYL, Mr. ROBERTS, and Mr. CRAIG):

S. 606. A bill to prohibit discrimination in contracting on federally funded projects on the basis of certain labor policies of potential contractors; to the Committee on Labor and Human Resources.

By Mr. COATS:

S. 607. A bill to amend the Communications Act of 1934 to provide for the implementation of systems for rating the specific content of specific television programs; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD:

S. 608. A bill to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment; to the Committee on Commerce, Science, and Transportation.

By Mr. KENNEDY (for himself, Ms. MIKULSKI, Mr. DASCHLE, Mr. DODD, Mr. HARKIN, Mr. WELLSTONE, Mrs. MURRAY, Mrs. BOXER, Ms. MOSELEY-BRAUN, Mrs. FEINSTEIN, Mr. FORD, and Mr. INOUE):

S. 609. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for reconstructive breast surgery if they provide coverage for mastectomies; to the Committee on Labor and Human Resources.

By Mr. LUGAR (for himself and Mr. BIDEN):

S. 610. A bill to implement the obligations of the United States under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, known as "the Chemical Weapons Convention" and opened for signature and signed by the United States on January 13, 1993; to the Committee on the Judiciary.

By Mr. MACK (for himself, Mr. D'AMATO, Mr. SHELBY, Mr. BENNETT, Mr. DOMENICI, Mr. CHAFEE, Mr. ABRAHAM, Mr. HELMS, Mr. BROWNBAC, and Mr. LUGAR):

S. 611. A bill to require the Board of Governors of the Federal Reserve System to focus on price stability in establishing monetary policy to ensure the stable, long-term purchasing power of the currency, to repeal the Full Employment and Balanced Growth Act of 1978, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROTH (for himself and Mr. MOYNIHAN):

S. 612. A bill to amend section 355 of the Internal Revenue Code of 1986 to prevent the avoidance of corporate tax on prearranged sales of corporate stock, and for other purposes; to the Committee on Finance.

By Mr. THOMPSON (for himself and Mr. FRIST):